

**BEFORE THE
DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. C20120926-01

**ANTONIO ALVAREZ
13502 WHITTIER BOULEVARD,
NO.H361
WHITTIER, CA 90605**

**Certified Residential Appraiser No.
AR039238**

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Director of the Office of Real Estate Appraisers, as its Decision in this matter.

This Decision shall become effective on 2-5-13.

It is so ORDERED 2-5-13

Original Signed _____

FOR THE DIRECTOR OF THE OFFICE OF REAL ESTATE
APPRAISERS

Office of Real Estate Appraisers
1102 Q Street, Suite 4100
Sacramento, CA 95811

Telephone: (916) 552-9742
Facsimile: (916) 552-9008

**BEFORE THE
DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

ANTONIO ALVAREZ
13502 Whittier Boulevard No. H361
Whittier, CA 90605
Certified Residential Licensed Appraiser

No. AR039238

Respondent.

Case No. C20120926-01

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding that the following matters are true:

PARTIES

1. Elizabeth Seaters, acting on behalf of the Office of Real Estate Appraisers (Complainant), brings this action solely in her official capacity as Chief of Enforcement for the Office of Real Estate Appraisers.

2. Antonio Alvarez (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about February 6, 2008, the Office of Real Estate Appraisers issued Certified Residential Appraiser License No. AR039238 to Antonio Alvarez (Respondent). The Certified Residential License will expire on January 5, 2014, unless renewed.

JURISDICTION

4. When deemed by the Director of the Office of Real Estate Appraisers (Director) to be in the public interest, Complainant has the authority under Business and Professions Code section 11315.5 to enter into a settlement related to administrative findings of violations of the statutes and regulators governing the conduct of licensed appraisers. The Administrative Findings

1 associated with the Office of Real Estate Appraisers Case No. C20120926-01 against Respondent
2 are attached as Exhibit A and incorporated herein by reference.

3 ADVISEMENT AND WAIVERS

4 5. Respondent has carefully read and understands the charges and allegations in the
5 attached Administrative Findings. Respondent also has carefully read and understands the effects
6 of this Stipulated Surrender of License and Order.

7 6. Respondent is fully aware of his legal rights in this matter, including the right to a
8 hearing on any charges and allegations in the Administrative Findings; the right to be represented
9 by counsel, at his own expense; the right to confront and cross-examine the witnesses against
10 him; the right to present evidence and to testify on his own behalf; the right to reconsideration and
11 court review of an adverse decision; and all other rights accorded by the California
12 Administrative Procedure Act and other applicable laws.

13 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
14 every right set forth above.

15 CULPABILITY

16 8. Respondent agrees that the charges and allegations in the attached Administrative
17 Findings, if proven at a hearing, would constitute cause for revocation of his license.

18 9. Respondent understands that by signing this Stipulated Surrender he enables the
19 Director to issue his order accepting the surrender of his Certified Residential Appraiser License
20 No. AR 039238 without further process.

21 10. Respondent understands and agrees that, by signing this Stipulated Surrender, the
22 Director will treat any application for licensure or petition for reinstatement as a new application
23 for licensure.

24 CONTINGENCY

25 11. This Stipulated Surrender shall be subject to approval by the Director of the Office of
26 Real Estate Appraisers or the Director's designee. Respondent understands and agrees that
27 counsel for Complainant and the staff of the Office of Real Estate Appraisers may communicate
28 directly with the Director and staff of the Office of Real Estate Appraisers regarding this

1 Stipulated Surrender without notice to or participation by Respondent or his counsel. By signing
2 the Stipulated Surrender, Respondent understands and agrees that he may not withdraw his
3 agreement or seek to rescind the Stipulated Surrender prior to the time the Director considers and
4 acts upon it. If the Director fails to adopt this Stipulated Surrender as the Decision and Order, the
5 Stipulated Surrender and Disciplinary Order shall be of no force and effect, and, except for this
6 paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall
7 not be disqualified from further action by having considered this matter.

8 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
9 License and Order, including facsimile signatures thereto, shall have the same force and effect as
10 the originals.

11 13. This Stipulated Surrender of License and Order is intended by the parties to be an
12 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
13 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
14 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
15 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
16 executed by an authorized representative of each of the parties.

17 14. In consideration of the foregoing admissions and stipulations, the parties agree that
18 the Director may, without further notice or formal proceeding, issue and enter the following
19 Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Certified Residential Appraiser License No. AR039238
22 issued to Antonio Alvarez, is surrendered and accepted by the Director of the Office of Real
23 Estate Appraisers.

24 1. The surrender of Respondent's Certified Residential Appraiser License and the
25 acceptance of the surrendered license by the Director shall constitute the imposition of discipline
26 against Respondent. This Stipulated Surrender constitutes a record of the discipline and shall
27 become a part of Respondent's license history with the Office of Real Estate Appraisers.
28

2. Respondent shall lose all rights and privileges as a Real Estate Appraiser in California as of the effective date of the Director's Decision and Order.

3. Respondent shall cause to be delivered to the Director his pocket license and his wall certificate, if one was issued, on or before the effective date of the Decision and Order.

4. If Respondent ever applies for licensure or any certification of registration to the Office of Real Estate Appraisers, or petitions for reinstatement in the State of California, the Director shall treat it as a new application for licensure or certification. Respondent must comply with all the laws, regulations and procedures for licensure or certification in effect at the time the application or petition is filed, and all of the charges and allegations contained in the attached Accusation will be deemed true when the Director determines whether to grant or deny the application, certification or petition.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order. I understand the Stipulated Surrender and the effect it will have on my Certified Residential Appraiser License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Office of Real Estate Appraisers.

Dated:

1/26/2013

Original Signed

Antonio Alvarez
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Director of the Office of Real Estate Appraisers.

Dated:

2/4/13

Respectfully submitted,

Original Signed

Elizabeth Seaters
Chief of Enforcement

Exhibit A

Administrative Findings OREA Case C20120926-01

On or about October 8, 2012 The Office of Real estate Appraisers sent Respondent a letter requesting a copy of three appraisal reports and the corresponding work files. Respondent was given until November 7, 2012, to respond with the requested information, but failed to do so in violation of the California Business and Professions Code as follows:

Respondent failed to facilitate an investigation of alleged violations of the Uniform Standards of Professional Appraisal Practice (USPAP) by failing to submit a true copy of the appraisal reports and any supporting documentation to the Office of Real Estate Appraisers (OREA); Section 11328 of the California Business and Professions Code.